

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

UNITED STATES OF AMERICA
Plaintiff

v.

REAL PROPERTY AND
IMPROVEMENTS LOCATED AT
121 E FULTON
MATHIS, TEXAS 78368, AND
303 BEE STREET
MATHIS, TEXAS 78368
Defendant

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CIVIL NUMBER:

VERIFIED COMPLAINT FOR CIVIL FORFEITURE IN REM

The United States of America, Plaintiff herein, by and through its United States Attorney for the Southern District of Texas and the undersigned Assistant United States Attorney, files this forfeiture action and alleges upon information and belief:

NATURE OF ACTION

1. This is a civil action in rem brought to enforce the provisions of:
 - (a) 18 U.S.C. § 981(a)(1)(A) which provides for the forfeiture of real property involved in a transaction or attempted transaction in violation of 18 U.S.C. §§ 1956, 1957 or 1960 or any property traceable to such property; and
 - (b) 21 U.S.C. § 881(a)(6) which provides for the forfeiture of all moneys furnished or intended to be furnished by any person in exchange for a controlled substance or listed chemical in violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq., all proceeds traceable to such an exchange, and all moneys used or intended to be used to facilitate any violation of the Controlled Substances Act, 21 U.S.C. § 801, et seq.

JURISDICTION AND VENUE

2. This Court has subject-matter jurisdiction of this action pursuant to 28 U.S.C. §§ 1345 and 1355.

3. Venue is proper in the Southern District of Texas under 28 U.S.C. §§ 1355, 1391, and 1395.

DEFENDANT PROPERTY

4. The defendant is real property with two (2) structures: apartments with an address of 121 E Fulton, Mathis, Texas 78368, and a residence with an address of 303 Bee Street, Mathis, Texas 78368, with all appurtenances, improvements, and attachments thereon and legally described as:

The Southwest 100 feet of Lot 10, Block 17, Original Townsite of the City of Mathis, San Patricio County, Texas, as described in Clerk's File No. 472621, Real Property Records of San Patricio County, Texas,

which is hereafter referred to as "Defendant Real Property."

5. Roger Bellows ("Bellows") is the record title owner of Defendant Real Property.

6. Defendant Real Property is located within the Southern District of Texas and the jurisdiction of the Court.

FACTS

7. Ricardo Guerrero ("Guerrero") is the leader of a large-scale drug trafficking organization which transports kilogram quantities of heroin, methamphetamine, and cocaine from Mexico into the United States of America. Guerrero's drug trafficking organization has been in existence since on or about January 1, 2009, to the present. Guerrero's role in this organization has been to manage the importation and distribution of the drugs from Mexico to areas throughout the United States of America.

8. A federal grand jury has returned an indictment against Guerrero and others charging Guerrero with, among other charges, conspiracy to possess with intent to distribute heroin, methamphetamine, and cocaine in violation of 21 U.S.C. §§ 846, 841(a)(1), and 841(b)(1)(A) from on or about January 1, 2009, to on or about September 26, 2013. The criminal case against Guerrero and others is pending before this Court under Criminal No. C-13-844-S.

9. Guerrero used proceeds from his illegal drug trafficking activities to purchase and improve Defendant Real Property. Although Bellows is listed as the record title owner of Defendant Real Property, Bellows is a mere nominee. Guerrero is the true owner of Defendant Real Property, and he paid for the improvements located on Defendant Real Property with proceeds from his illegal drug trafficking activities.

10. On October 21, 2013, law enforcement agents met with Bellows to discuss the true ownership of Defendant Real Property. Bellows stated he knew Defendant Real Property was titled to him but he could not recall how he became the owner of Defendant Real Property. Bellows also could not recall what Defendant Real Property looked like or if there were any improvements made to the property. Bellows told the agents that he thought Defendant Real Property was a vacant lot, and he did not know about the renovation of an apartment/duplex building on the property.

11. Guerrero has no legitimate recorded income with which to have paid for the purchase of Defendant Real Property or the subsequent improvements constructed on Defendant Real Property.

NOTICE TO ANY POTENTIAL CLAIMANT

YOU ARE HEREBY NOTIFIED if you assert an interest in the property subject to forfeiture and want to contest the forfeiture, you must file a verified claim which fulfills the

requirements set forth in Rule G of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. The verified claim must be filed no later than 35 days from the date this complaint is sent in accordance with 18 U.S.C. § 985 and Rule G(4)(b).

An answer or motion under Fed.R.Civ.P. 12 must be filed no later than twenty-one (21) days after filing the claim. The claim and answer must be filed with the United States District Clerk for the Southern District of Texas and a copy must be served upon the undersigned Assistant United States Attorney at the address provided in this complaint.


PRAYER

WHEREFORE, the United States of America prays that judgment of forfeiture be entered against the Defendant Real Property in favor of the United States of America and for such costs and other relief to which the United States of America may be entitled.

Respectfully submitted,

KENNETH MAGIDSON
United States Attorney

By:

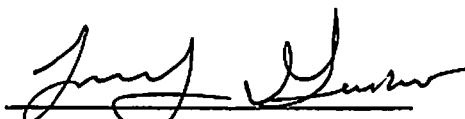

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VERIFICATION

I, Larry Gamboa, a special agent with Homeland Security Investigations, hereby affirm and verify that the facts set forth in the foregoing Complaint for Forfeiture in Rem are true and correct to the best of my knowledge and belief.



Larry Gamboa
Special Agent
Homeland Security Investigations

Sworn and subscribed before me, the undersigned authority, on this 25th day of November, 2013.



Notary Public in and for the State of Texas

My commission expires: